

FILED

SEP 16 2013

Clerk, U.S. District Court
District Of Montana
Helena

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

TWAIN NEWMAN AYERS,

Petitioner,

vs.

MARTIN FRINK, Warden;
ATTORNEY GENERAL OF THE
STATE OF MONTANA, ·

Respondents.

CV 13-103-BLG-SEH

ORDER

United States Magistrate Judge Carolyn Ostby entered her Findings and Recommendation¹ on August 7, 2013. Petitioner filed objections on August 28, 2013.² The Court reviews *de novo* findings and recommendations to which objection is made. 28 U.S.C. § 636(b)(1).

¹ Document No. 3.

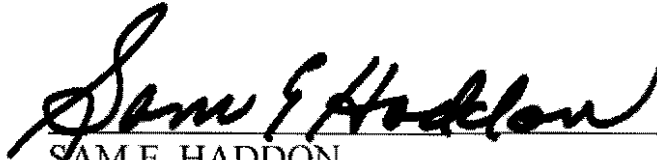
² Document No. 4.

Upon *de novo* review of the record, I find no error in Magistrate Judge Ostby's Findings and Recommendation and adopt it in full.

ORDERED:

1. The Petition is DENIED for lack of merit.
2. A certificate of appealability is DENIED.
3. The Clerk of Court is directed to enter, by separate document, a judgment in favor of Respondents and against Petitioner.

DATED this 16th day of September, 2013.



SAM E. HADDON
United States District Judge